

AN ORDINANCE

99437

APPROVING A RENEWAL AND EXTENSION OF LEASE AGREEMENT BETWEEN RIVERVIEW TOWER PARTNERS, LTD., A TEXAS LIMITED PARTNERSHIP, THE PRESENT LANDLORD, AND THE CITY OF SAN ANTONIO, AS TENANT, RENEWING AND EXTENDING THE TERM OF THAT CERTAIN LEASE AGREEMENT BETWEEN MACK-CALI TEXAS PROPERTY, L.P., PREDECESSOR IN TITLE TO THE PRESENT LANDLORD, AND TENANT, APPROVED BY ORDINANCE NO. 95134, DATED JANUARY 10, 2002, AS AMENDED BY FIRST AMENDMENT TO LEASE AGREEMENT (PARKING REDUCTION), APPROVED BY ORDINANCE NO. 96144 DATED AUGUST 8, 2002, FOR THE RENTAL OF APPROXIMATELY 14,920 GROSS SQUARE FEET OF OFFICE SPACE DESCRIBED AS SUITE 1000 BEING USED FOR THE CITY ATTORNEY'S OFFICE AT THE RENT RATE OF \$14.50 PER GROSS SQUARE FOOT PER YEAR, OR \$18,028.33 PER MONTH, IN A BUILDING LOCATED AT 111 SOLEDAD STREET, KNOWN AS THE RIVERVIEW TOWERS OFFICE BUILDING, LOCATED IN COUNCIL DISTRICT 1, FOR ONE (1) YEAR COMMENCING JULY 1, 2004, WITH THE OPTION TO TERMINATE WITHOUT CAUSE WITH 120 DAYS WRITTEN NOTICE TO THE LANDLORD.

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WHEREAS, the City entered into a Lease Agreement with Mack-Cali Texas Property, L.P. for use by the City Attorney's Office of 14,920 gross square feet of office space known as Suite 1000 in the Riverview Office Building (aka Riverview Towers Office Building) located at 111 Soledad Street, at a rental rate of \$14.00 per square foot a year, or \$ 17,407.00 per month, as approved by Ordinance No. 95134 passed on January 10, 2002, and amended by First Amendment to Lease Agreement (Parking Reduction), approved by Ordinance No. 96144 passed on August 8, 2002; and

WHEREAS, pursuant to the terms of said Agreement, the City has requested, and Riverview Tower Partners, L.P., a Texas Limited Partnership, the present Landlord, has agreed to, a one year renewal and extension of the Lease Agreement commencing July 1, 2004, at a rental rate of \$14.50 per square foot a year, or \$18,028.33 per month, with two additional one-year renewal periods remaining; **NOW THEREFORE**;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. A one year Renewal and Extension of Lease Agreement with Riverview Tower Partners, Ltd., as Landlord, originally approved by Ordinance No. 95134 on January 10, 2002, and amended by Ordinance No. 96144 on August 8, 2002, is hereby approved for use by the City Attorney's Office of 14,920 gross square feet of office space known as Suite 1000 in the Riverview Office Building (aka River Towers Office Building), located at 111 Soledad Street, at a rental rate of \$14.50 per square foot a year, or \$18,028.33 per month, commencing July 1, 2004. The City Manager or her designee is authorized to execute the Renewal and Extension of Lease Agreement, on behalf of the City, and to take any other steps deemed necessary to facilitate this Ordinance. A copy of the Renewal and Extension of Lease Agreement, executed on behalf of the Landlord, is affixed hereto as **Attachment I** and incorporated herein verbatim for all purposes.

SECTION 2. Funds in the approximate amount of \$162,254.97 are authorized to be encumbered in Fund 75-003000, Workers' Compensation Program, in Index Code 627372, entitled Rental of Facilities, and are to be made payable to Riverview Tower Partners, Ltd, for a one (1) year agreement commencing July 1, 2004. Funds will be appropriated during the annual budget process.

SECTION 3. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific index codes and fund numbers as necessary to carry out the purpose of this Ordinance.

SECTION 4. This ordinance shall be effective on the 4th day of July, 2004.

PASSED AND APPROVED this 24th day of June, 2004.

ATTEST:

Leticia M. Vaca
City Clerk

for

M A Y O R

Edward D. Garza
EDWARD D. GARZA

APPROVED AS TO FORM:

Regina E. Elwood
for City Attorney